

NOTICE OF PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

Agency Information

1. Agency: Insurance - Administration
 Room no.: 3110
 Building: STATE OFFICE BLDG
 Street address 1: 450 N MAIN ST
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84114-1201
 Mailing address 1: PO BOX 146901
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84114-6901

Contact person(s):

Name:	Phone:	Fax:	E-mail:
Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 37849 Date filed: 07/15/2013 03:59 PM
 State Admin Rule Filing Key: 154468
 Utah Admin. Code ref. (R no.): R 590 - 247 -
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 Universal Health Insurance Application Rule.

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
 This rule is being amended to provide the health insurance industry with the application to be used for individual health insurance outside of the Federally Facilitated Marketplace (FFM) and for small employer health insurance. These changes comply with the Affordable Care Act (ACA).

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.
 No

Rule Summary

6. Summary of the rule or change:
 Changes limit the individual application to use outside of the FFM; deletes the questions applicable to the health risk; and specifies when the current application is to be replaced with the new one.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

The changes to this rule will have no fiscal impact on the department or state's costs or savings. The rule notes the date when health insurers are to start using the new application form as required by ACA.

B) Local government:

Affected: No

This rule does not affect local governments since the rule relates solely to the relationship between the department and its health insurance licensees.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

This rule will have no fiscal impact on small businesses, or in this case, insurance agencies. Insurers, or large businesses, will implement the new application and pass it on to insurance agencies associated with them. The agencies will then use the new form for coverage effective on or after January 1, 2014.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

Health insurers will insert their name onto the new application form provided by the department. They will then transfer it electronically to their agencies to use in place of the current form. This should not require any additional expense on the part of insurers or their agencies.

Compliance Cost Information

8. Compliance costs for affected persons:

Health insurers will have no costs associated with the changes being made to this rule. They will insert their name onto the new application form provided by the department, then transfer it electronically to their agencies to use in place of the current form.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

There will be no fiscal impact on businesses as a result of changes being made to this rule.

B) Name and title of department head commenting on the fiscal impacts:

Todd E. Kiser, Insurance Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

31A-30-102

31A-22-635

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:
 ISSN Number:
 Cost of Incorporated Reference:
 Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1.(The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)
- A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) : 09/03/2013
 B) A public hearing (optional) will be held:
 On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy): 09/10/2013
- NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
 universal health insurance application

File Information

15. Attach an RTF document containing the text of this rule change (filename):
 There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title: Todd Kiser Commissioner Date (mm/dd/yyyy): 07/15/2013